

EARLY CHILDHOOD IOWA STATE BOARD[249]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2010 Iowa Acts, Senate File 2088, section 281, the Early Childhood Iowa State Board hereby gives Notice of Intended Action to adopt new Chapter 1, “Early Childhood Iowa Initiative,” Iowa Administrative Code.

The Early Childhood Iowa Initiative was established by the General Assembly to create a partnership between communities and state-level partners to improve the efficiency and effectiveness of early care, education, health, and human services to support children prenatal through age five and their families.

No waiver provision is included because the Early Childhood Iowa State Board has adopted a waiver policy for the initiative.

Any interested person may make written comments or suggestions on the proposed rules on or before October 26, 2010. Such written comments should be directed to Shanell Wagler, Department of Management, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319. Comments may be sent by fax to (515)281-4225 or by E-mail to shanell.wagler@iowa.gov.

A public hearing will be held on October 26, 2010, at 9 a.m. in Room 142 of the Lucas State Office Building, Des Moines, Iowa, at which time comments may be submitted orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Shanell Wagler at (515)281-4321 to advise of any specific needs.

These rules are intended to implement 2010 Iowa Acts, Senate File 2088, sections 278 to 289 and 310.

The following amendment is proposed.

Adopt the following **new** 249—Chapter 1:

CHAPTER 1 EARLY CHILDHOOD IOWA INITIATIVE

249—1.1(83GA,SF2088) Purpose. This chapter establishes the early childhood Iowa initiative enacted by the general assembly.

249—1.2(83GA,SF2088) Scope of the rules. The rules for the initiative are promulgated under 2010 Iowa Acts, Senate File 2088, section 281. No rule shall, in any way, relieve a person affected by or subject to these rules, or any person affected by or subject to the rules promulgated by the early childhood Iowa initiative, from any duty under the laws of this state.

249—1.3(83GA,SF2088) Definitions. For the purpose of these rules, the following definitions apply:

“*Alignment*” means state- and community-level efforts to integrate early care, health, and education systems and to enhance state and community partnerships through innovative approaches.

“*Assessment*” means to identify for children and their families all formal and informal supports, assets and resources, as well as gaps, in an early childhood Iowa area. An assessment includes communitywide data, statistics, and facts upon which to base decisions to develop a community plan and to identify priorities to reach the desired results.

“*Citizen representative*” means a member of the early childhood Iowa area board who is not an elected official or a paid staff member of an agency whose services fall under the plan or purview of the area board either directly or indirectly.

“Community partners” means individuals, early childhood service providers, and staff of other programs or agencies that communicate, coordinate and collaborate with an area board.

“Community plan” means the local comprehensive analysis of needs, gaps and strengths, also referred to in 2010 Iowa Acts, Senate File 2088, as the school ready grant plan, adopted by the area board following input from the community and implemented in the early childhood Iowa area.

“Decategorization project” means the human services decategorization of child welfare and juvenile justice funding project operated under Iowa Code section 232.188.

“Department” means the Iowa department of management.

“Designation” means the status awarded by the state board to an early childhood Iowa area meeting the criteria and the levels of excellence rating system.

“Early childhood Iowa area” or *“area”* means a geographic area as defined by the local community and designated by the state board.

“Early childhood Iowa area board” or *“area board”* means the governing board for an early childhood Iowa area.

“Early childhood Iowa fund” means a fund created in the state treasury from which moneys are distributed to early childhood Iowa areas for the purpose of supporting children and their families.

“Early childhood Iowa office” means a state unit within the department of management to coordinate the early childhood Iowa initiative.

“Early childhood Iowa state board” or *“state board”* means the state of Iowa’s early childhood Iowa board as appointed by the governor that meets the membership criteria of citizens and state agency directors as voting members and legislators as nonvoting members.

“Early childhood stakeholders alliance” or *“early childhood Iowa stakeholders alliance”* means the early childhood stakeholders alliance created in 2010 Iowa Acts, Senate File 2088.

“Elected official” means a member of a board or governing body elected through a public election.

“Evidence-based” means that a program has completed a randomized control trial conducted by an independent researcher and has demonstrated positive results for children and families. “Evidence-based” may also include research conducted by the program that has been published in a peer-reviewed journal that also demonstrates positive results for children and families. To be evidence-based, the program must include stringent standards for program replication including standards for implementation and monitoring to ensure that the program is being operated with fidelity to the original model.

“First years first” means a public-private partnership for early childhood in Iowa, which includes an account created in the early childhood Iowa fund under the authority of the department of management to be used for first years first.

“Fiscal agent,” as designated by an area board, means a public agency as defined in Iowa Code section 28E.2; a community action agency as defined in Iowa Code section 216A.91; a nonprofit corporation; or an area education agency as defined in Iowa Code chapter 273.

“Funding sources” means a comprehensive fiscal assessment of identified sources and amounts to support children prenatal through five years of age.

“Home visitation” means a strategy to deliver family support or parent education services. A home visit is a face-to-face visit with a family in the family’s home or other alternate location to facilitate meeting the family’s goals.

“Indicator” means a measure that indirectly quantifies the achievement of a result.

“Members of the public” means individuals who meet the definition of citizen representative on an area board.

“Parent” or *“grandparent”* or *“guardian”* means a parent or primary caregiver of a child from birth to kindergarten entry, including a grandparent, other relative of the child, or foster parent; or a noncustodial parent who has an ongoing relationship with, and at times provides physical care for, the child.

“Performance measure” means a measure that assesses a program, activity, or service.

“Result” means the effect desired for Iowans.

“State agency” means a department of the executive branch including, but not limited to, the departments of economic development, education, human rights, human services, public health, and workforce development.

“Technical assistance” means an ongoing, systematic and interactive process that is designed to achieve results and that enables knowledge from research, policy and evidence-based practices to be shared in partnerships through a variety of strategies with specific groups, agencies, communities and other partners to use within their unique contexts.

“Technical assistance team” means the early childhood Iowa office in the department of management and identified personnel from the state departments of economic development, education, human rights, human services, public health, and workforce development that provide the day-to-day operational work of local- and state-level early childhood Iowa and support to the state board.

249—1.4(83GA,SF2088) Early childhood Iowa state board responsibility.

1.4(1) The state board shall provide leadership and coordination for the development of Iowa’s early care, health and education system in cooperation with area boards, community partners and other state agencies.

1.4(2) The state board shall:

- a.* Develop a levels of excellence rating system for area boards.
 - (1) The rating system is the mechanism by which an area board is designated.
 - (2) The rating system shall include the following four levels: probation, compliant, quality, and model.
 - (3) The state board shall adopt criteria for each level.
- b.* Adopt state-level indicators with input from area boards and the early childhood stakeholders alliance. The state board shall report on indicators each fiscal year and compare the data against baseline data and data from prior fiscal years as available. Indicators shall measure all result areas of the early care, health and education system.
- c.* Adopt minimum standards to promote equal access to services subject to the authority of the area boards.
- d.* Adopt guidelines and standards for services provided under a school ready children grant.
- e.* In cooperation with the early childhood stakeholders alliance:
 - (1) Further the development of an early childhood integrated data system across state agencies and other partners.
 - (2) Develop guidance to identify and improve the quality of services in early care, health and education programs, including evidence-based practices.
 - (3) Promote other measures to advance the initiative.

249—1.5(83GA,SF2088) Early childhood Iowa coordination staff. In consultation with the state board, the department shall provide fiscal oversight of the early childhood Iowa initiative.

249—1.6(83GA,SF2088) Early childhood Iowa areas.

1.6(1) The state board shall approve early childhood Iowa area boundaries and the creation of area boards. Minimum criteria for areas and the approval of area boards are set forth in 2010 Iowa Acts, Senate File 2088, section 283.

1.6(2) The state board may waive any of the minimum criteria referenced in 2010 Iowa Acts, Senate File 2088, section 283, if it is determined that exceptional circumstances exist. The state board further defines exceptional circumstances to include the following:

- a.* The proposed change of boundaries creates hardship that reduces performance or quality of services within the area. The area board must provide compelling documentation of the hardship and clearly document the impact to performance or quality of services or both.
- b.* The area board is granted model level of performance within the levels of excellence rating system by the state board.

249—1.7(83GA,SF2088) Early childhood stakeholders alliance. The early childhood stakeholders alliance shall assist the state board in the development and implementation of the state board's strategic plan.

249—1.8(83GA,SF2088) Transition.

1.8(1) The state board shall adopt the deadline of July 1, 2013, for compliance with 2010 Iowa Acts, Senate File 2088, section 283, for all area boards. Area boards that are impacted by boundary criteria shall merge by July 1, 2013, or be granted an exception by the state board.

1.8(2) Early childhood Iowa area boards shall ensure that area service providers and other community providers are invited to participate in conversations as the area boards transition into early childhood Iowa or if the area boards change geographic boundaries.

These rules are intended to implement 2010 Iowa Acts, Senate File 2088, sections 278 to 289 and 310.